

SFK



GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Attorney Docket No. P24853**Mail Stop Amendment**

In re application of : Thomas MÜLLER

Application No : 10/770,442

Group Art Unit: 3651

Filed : February 4, 2004

Examiner : D. A. Hess

For : **STORAGE DEVICE WITH VARIABLE STORAGE CAPACITY****Mail Stop Amendment**

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop Amendment

Randolph Building

401 Dulany Street

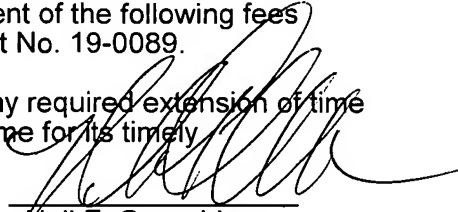
Alexandria, VA 22314

Sir:

Transmitted herewith is an **Election with Traverse** in the above-captioned application.☐ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.☒ A Supplemental Information Disclosure Statement, PTO Form 1449, and references cited.☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 51	*51	0	X25=	\$	x 50=	\$0.00
Indep. Claims: 3	**3	0	X100=	\$	X200=	\$0.00
Multiple Dependent Claims Presented			+180=	\$	+360=	\$0.00
Extension Fees for ____ Month(s)				\$		\$0.00
Total:				\$	Total:	\$0.00

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.☒ N/A A Check in the amount of \$ ____ to cover the filing/extension fee(s) is included.☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.☒ Any additional filing fees required under 37 C.F.R. 1.16.☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

 Neil F. Greenblum
 Reg. No. 28,394

 Robert W. Mueller
 Reg. No. 35,043



P24853.A05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas MÜLLER Confirmation No. 3367
Serial No : 10/770,442 Group Art Unit: 3651
Filed : February 4, 2004 Examiner: D. A. Hess
For : STORAGE DEVICE WITH VARIABLE STORAGE CAPACITY

ELECTION WITH TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

In response to the Examiner's restriction requirement of February 21, 2006, the time set for response extending until March 23, 2005 (30 days from February 21, 2006), Applicant submits that the instant election is timely and that no extensions of time are required.

Applicant hereby elects with traverse the invention defined by the Examiner as Group 1 directed to claims 1-39. The above-noted election is made with traverse for the reasons set forth below.

REMARKS

Upon entry of the present election, Applicant will have elected with traverse the invention defined as Group I comprising at least claims 1-39.

In the restriction requirement, the Examiner set forth a requirement to restrict the